

Martinez, Elizabeth (USANM)

From: [REDACTED]
Sent: Monday, July 11, 2016 6:30 AM
To: jjacobi@cabq.gov; fmmowrer@smdlegal.com; Saucedo, Luis E (CRT); Martinez, Elizabeth (USANM); pmrinc@me.com; [REDACTED]
Subject: Notice of CPC Concerns, Status Conference July 28, 2016

July 11, 2016

TO: CABQ Jenica Jacobi
APOA Fred Mowrer
Monitor Dr. Ginger
DOJ Luis Saucedo
DOJ Elizabeth Martinez
FOG [REDACTED]

FROM: VACCPC MEMBER [REDACTED]

RE: Notice of CPC Concerns, Status Conference July 28, 2016.

This Notice of Albuquerque Community Policing Council Concerns is being filed with the City, the APOA, the Monitor and the DOJ; as the DOJ has directed. It is also being copied to the Foundation for Open Government in Albuquerque, New Mexico. All copies of this notice are being delivered electronically on July 11, 2016.

As a member of the Valley Area Command CPC since October 2014, I have been surprised by the way APD controls the process. Rather than working collaboratively with the groups, APD has often dictated the terms under which we volunteers operate, and the department has a hand in every aspect of the CPCs.

The only official contact for the CPCs is [REDACTED], APD Communications Director. This is problematic because many in Albuquerque fear the police department. For those who are afraid, the prospect of interacting with APD directly is so frightening that they remain silent.

In my neighborhood, the majority of people don't even call police for help, even when they are elderly victims of violent crime. When I ask why, they tell me the cops are more violent than the people who just hurt them; they fear being killed by police.

I'm working to change that image, but there are many who will never enter this conversation by contacting APD. The CPCs should function as a bridge for the disenfranchised and alienated. By putting APD at the helm of CPC communication, the City has suppressed membership and participation.

The person responsible for posting all CPC Minutes and Agendas--on the APD website--is [REDACTED]. For many months, several CPCs attempted to learn why [REDACTED] demanded our Minutes and Agendas every month. We asked her directly, only to be told she'd email us the information. We asked our facilitators, they could not say; the City did not want them to tell us. Finally, a facilitator broke weak and spilled the beans. The Agendas and Minutes were being collected by [REDACTED], to show Oversight and Chief Eden.

When questioned again, ██████ claimed to be collecting the documents for the purpose of posting them on the APD website. That task lingered unattended to for 18 months, and I understand that it is not yet completed. Allowing APD to appropriate this aspect of our public communication is incongruent with the image we should be presenting---one of a legitimate body independent of the police department.

Having ██████ inoza installed at every head table of every operational CPC also sends the wrong message. Many VACCPC meetings have been dominated by ██████ public relations efforts, and she does this at all five functioning CPCs.

I find it curious that the Monitor's second report claims that all six CPCs are holding monthly meetings. Early on, SW stopped meeting monthly. This is understandable; they are only required to meet twice a year and the groups have all been frustrated. ██████ attends SW at a monthly meeting time someone selected several years ago. Many SW meetings have consisted of only APD employees and Ed Harness. How can the Monitor find this acceptable?

At SW, ██████ appears to have taken it upon herself to appoint two members. This seems to have happened with no involvement of active CPCs.

While ██████ has been diligent in her meeting attendance, getting any form of administrative support from her is tedious. It took me over a year to obtain a hard copy of the SOP. It took over a month to obtain a copy of the VACCPC minutes, which the city-hired facilitator had frequently failed to provide in a format I could open. The Agendas, which I also requested for the same reason, have yet to be delivered many months later.

I am also still waiting for ██████ to respond to a letter I handed her in September 2015. The letter represented the concerns of over thirty people in the Valley Area Command, and a simple response stating awareness of it would have gone a long way toward bringing people into the CPC. ██████ has promised to answer multiple times, but nothing has arrived.

Getting a response from ██████, either by email or phone, is nearly impossible. Many CPC members have expressed frustration with this issue, it is not unique to me or my group. In public, the mention of calling her elicits laughter--no one expects to get through.

It is my view that APD has over-loaded this one employee with a task that actually belongs to a city secretary somewhere outside the police department. The CPCs should have a neutral city employee helping us, not a political appointee or a temporary contract worker.

True administrative support should exist physically, within an actual office the public can visit, call, write and email. This same office should provide CPC members access to a copy machine and a place to maintain our own, City-funded webpage.

Rather than spending money on expensive "facilitators" that never facilitate and only take extensive notes throughout our meetings, the City should immediately find an office for all six CPCs to share.

Another concern relates to the way DOJ Oversight is encouraging CPCs to disregard Open Meetings Law and Public Records Law. The notion that the groups have no purpose, therefore these parameters don't apply, is destructive.

Bringing public voices into the reform process is necessary for any measure of success, and it is our clear directive. Ignoring OML strikes at the core dysfunction which brought us to the CASA in the first place--

there is a disconnect between public expectation and the services being delivered. The groups are not exempt from OML, they must conduct business in the light of day, and they must keep records for the public.

DOJ negotiated extensively with APD Union representatives, APD Brass and the same mayoral administration that nurtured the need for DOJ to come here.

The public, however, was left out of these negotiations. Although sorely under-represented in the process, we, the public, are the most vital key to reform. We live here. We know what our community wants and needs.

Local government cannot fix the myriad of social ills we face, even if it should develop the will. It's the people who are needed most right now, and they are being shut out of the CPCs at every opportunity.

As it stands, private and closed meetings are a regular CPC feature. Many of these exclude the public and even voting members, but the private meetings do often include APD Brass and City officials.

I am also concerned about the manner in which DOJ Oversight is having the CPCs develop rules. It appears that only one person is working on them, and he receives input from only four other people--the active Chairs.

Three of the five Chairs have not attended the Citizen Police Academy. Three of the groups have only a couple of members. None of these people are any more qualified to write bylaws than the rest of us, and by some standards, a few are less qualified.

Even though I expressed interest in the creation of rules, I have been disregarded. There appears to be no plan to include all voting members in the writing of this very late and sorely needed document. The notion of public comment seems to have never occurred.

The practice of having the Chairs meet privately, to decide matters that impact the entire membership and the public, is extremely detrimental. Although it may make it easier for Oversight, APD and these five to conduct the public's business behind closed doors, it undermines everything the CPCs should be.

There are no minutes provided for the private meetings-of my own group, or of the Chairs. Despite having completed the CPA and having donated many hours of service, I have no clue what business is being conducted. The public is even further removed.

Having someone who lives out of state contracted to work with the CPCs increases the need for this kind of shortcut, and locking people out for expediency is rendering the CPCs useless. A local, who knows the community, would be far more beneficial. We New Mexicans have a different cultural stew than anywhere else, and we engage at a different pace, too. A qualified local could excel in this position, and be available on a regular basis. It will take a coordinator such as this to patiently nurture a truly representative CPC structure, and we will need a stable position for the future.

Finally, there is the matter of membership requirements. When the VACCPC was first formed, we original members were told we had been appointed. Having signed waivers for background checks, everyone thought they had passed and set about working many long hours in an attempt to discern what we were doing.

After a few months [REDACTED], City employee, came to a meeting and told us there was another background check to pass. Subsequently, the City removed [REDACTED] from our CPC. To date, none of the other members have been informed of their background results. Some feel this is a deliberate attempt to

intimidate, fearing that speaking in disagreement with the City or APD might cause them to be found unfit in the same way [REDACTED] was.

A recent letter, sent from VACCPC to the Mayor, received a response that named [REDACTED] as the person who determines if applicants are fit to serve on CPCs. This response was sent and signed by [REDACTED]

At about the same time, [REDACTED] told us it had been decided that background checks for attending Citizen Police Academy were the only requirement.. She said the sole exclusions would be for violent felony convictions in the past five years.

Then Dr. Ginger's second report came out, and it states that [REDACTED] selects members of the councils, without mention of the standards she used.

In short, we have conflicting answers. What are the membership requirements? Does [REDACTED] have authority to determine our membership? If so, what criteria does he use? Is the APD background check sufficient? Is [REDACTED] truly the person who selects members? What is her criteria? What was it at the time Dr. Ginger wrote the report?

[REDACTED] has repeatedly questioned [REDACTED] about his dismissal and the potential for re-instatement. For over a year, she referred him back to the City. Recently, she began stating that the group should re-vote him. The group was willing, but without clarification on the requirements, we set out to discover a definitive answer.

Obviously, none has yet been achieved. [REDACTED] and several APD officers have repeatedly informed [REDACTED] that he is free to participate from the audience, that his concerns about membership are trivial. No one from the City met with the group. Only APD showed up, and they made it clear that the matter was closed. This, by implication, means that they made the final decision.

Doesn't Oversight see the obvious conflict of interest? Why are APD employees so heavily involved in the development and day-to-day operation of CPCs? How is it that the police department, the same department which DOJ found in need of the CASA because of numerous excessive force incidents that included killing, has been permitted such egregious monopolization of this singular public voice in the entire reform process?

Dr. Ginger offered to speak with [REDACTED], as did Mr. Rickman. As far as I know, this never happened; [REDACTED] appears to have been forgotten.

When the CPCs booted out one of the very few Hispanic males they have had, for reasons that seem unjust and murky, it created an additional strain on the community. Having lived here his entire life, and having been active as a volunteer for many years, [REDACTED] is well known and well loved by many. He completed the CPA, rode with cops and studied the SOP. His commitment has exceeded that of most voting members, and he has attended nearly all of our meetings.

Seeing him treated so badly has alienated a large number of locals. Some of these are among the ones most likely to encounter police violence in Albuquerque, New Mexico.

The concerns presented here do not represent the entire VACCPC. They do, however, represent numerous voices. I am unable to include everything at once, but I have endeavored to represent the comments I've heard most frequently.

It is my hope that you can help us quickly. Albuquerque is under tremendous stress that escalates daily, and truly functional CPCs would be a valuable tool for peacefully reducing tensions.

Thank you.

Sincerely,

[REDACTED]

VACCPC

[REDACTED]